

**ENTERED**

May 10, 2018

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**SUPERIOR HOME HEALTH SERVICES,  
LLC,

Plaintiff,

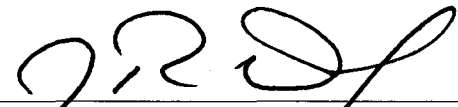
v.

PHILADELPHIA INDEMNITY  
INSURANCE COMPANY and  
ELIZABETH ORTIZ,  
Defendants.§  
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Civil Action No. 1:17-cv-00195

**ORDER**

Before this Court is “Plaintiff’s Unopposed Motion to Vacate Sanctions” (Docket No. 32) (hereafter “Plaintiff’s Motion to Vacate”) and “Plaintiff’s Stipulation of Dismissal without Prejudice” (Docket No. 30) (“Plaintiff’s Motion to Dismiss”). Plaintiff’s Motion to Vacate is unopposed and informs this Court that the parties have settled the instant matter. *See* Docket No. 32, at 2. Plaintiff’s Motion also asserts that “[a]s part of that settlement, and upon the agreement of the parties, Plaintiff satisfied the \$2,537.50 sanctions award” referenced in this Court’s Order, entered May 3, 2018. *Id.* Plaintiff’s Motion to Dismiss “moves to dismiss this lawsuit in its entirety without prejudice.” Docket No. 30, at 1. Plaintiff’s Motion to Vacate and Plaintiff’s Motion to Dismiss are hereby **GRANTED as follows**: all claims and causes of actions that have or could have been asserted in this cause are hereby **DISMISSED** without prejudice, with all costs and attorney fees to be paid by the party incurring the same except as expressly agreed upon by the parties. Accordingly, this Court’s “Order Granting Attorney Fees”, dated May 3, 2018 (Docket No. 31), is hereby **VACATED**. The Clerk of the Court is hereby **ORDERED** to close this case.

Signed on this 10<sup>th</sup> day of May, 2018.
  
 Rolando Olvera  
 United States District Judge